

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

KENNETH D. BELL , in his capacity as court-appointed receiver for Rex Venture Group, LLC d/b/a ZeekRewards.com,)	
)	
)	
)	
<i>Plaintiff,</i>)	
)	
)	
vs.)	Civil Action No.
)	3:15-cv-193
HAGIT RACKACH SAKORKA YARCHI,)	
JACOB STINER, YIZHAK (HAREL) BEN)	
AHARON ROZENTAL, PNINI SORKASKI,)	
HAVA LIPZER NIR, SIGALIT ZINGER RAHAT,)	
MICHAELI DEMIAN MECHALASHVILLI,)	
EREZ SHAKED, MENAHEM YIZHAK LIPTZER,)	
RIKI HAIMOVITZ, OSHRIT MARTZIANO,)	
ANAT HIMAN, SHMUEL COHEN, ILAN)	
DORON, and MESHULAM SHAPIRA,)	
)	
<i>Defendants.</i>)	
)	

**ANSWER AND AFFIRMATIVE DEFENSES
TO AMENDED COMPLAINT BY DEFENDANTS**

Defendants Hagit Rackach Sakorka Yarchi, Jacob Stiner, Yizhak (Harel) Ben Aharon Rozental, Pnini Sorkaski, Have Lipzer Nir, Sigalit Zinger Rahat, Michaeli Demian Mechalashvilli, Erez Shaked, Menahem Yizhak Liptzer, Riki Haimovitz, Oshrit Martziano, Anat Himan, Shmuel Cohen, Ilan Doron, and Meshulam Shapira (“Defendants” unless otherwise noted) file their answer and affirmative defenses to Plaintiff’s Amended Complaint as follows:

1. The statement that RVG operated as a Ponzi scheme is a legal conclusion to which no response is required. Defendants lack knowledge or

information sufficient to form a belief as to the truth of the remaining allegation of paragraph 1.

2. Defendants deny the allegations of paragraph 2 because they have no information leading them to believe that RVG was a scheme or that they or others were “net winners” as opposed to individuals who worked diligently for the income they earned in connection with Zeek.

3. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3.

4. Paragraph 4 states legal conclusions to which no response is required. To the extent a response is required, Defendants deny that they “won” any money in connection with Zeek; rather, Defendants worked for the money they earned in connection with Zeek.

5. Admit that Kenneth D. Bell has been appointed receiver in the referenced matter. The scope of his authority is best reflected in the Order Appointing Receiver.

6. Defendants admit, on information and belief, that RVG’s principal place of business was in Lexington, North Carolina, and that it operated Zeekler.com. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 7.

7. Defendants believe that Burks was a top executive for RVG and the Dawn Wright Oliveras was an RVG officer. Defendants are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 7.

8. Defendants are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 8.

9. Defendants are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 8.

10. Admit upon information and belief.

11. Admit upon information and belief.

12. Defendant Hagit Rackach Sakora Yarchi admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

13. Defendant Jacob Stiner admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

14. Defendant Yizhak Ben Ahoron Rozental admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

15. Defendant Pnina Sorkaski admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

16. Defendant Hava Lipzer Nir admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

17. Defendant Sigalit Zinger Rahat admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

18. Defendant Michaeli Demian Mechalashvilli admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

19. Defendant Erez Shaked admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

20. Defendant Menahem Yizhak Liptzer admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

21. Defendant Riki Haimovitz admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

22. Defendant Oshrit Martziano admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

23. Defendant Anat Himan admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

24. Defendant Shmuel Cohen admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

25. Defendant Ilan Doron admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

26. Defendant Meshulam Shapira admits to being an affiliate of ZeekRewards, but dies being a “net winner.”

27. Defendants admit that the SEC filed a complaint as alleged on August 17, 2012. Defendants are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 27.

28. Defendants admit that Mr. Bell was appointed Receiver. Defendants are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 28.

29. Paragraph 29 asserts legal conclusions to which no response is required.

30. Paragraph 30 asserts legal conclusions to which no response is required.

31. Paragraph 31 asserts legal conclusions to which no response is required.

32. Paragraph 32 asserts legal conclusions to which no response is required.

33. Paragraph 33 asserts legal conclusions to which no response is required.

34. Paragraph 34 asserts legal conclusions to which no response is required. Defendants, however, deny that they purposely directed actions toward North Carolina, that they each had numerous communication with RVG and/or meetings in North Carolina, and that they created a substantial connection to North Carolina such that the exercise of personal jurisdiction over them would be fair and just.

35. Paragraph 35 asserts legal conclusions to which no response is required.

36. Paragraph 36 asserts legal conclusions to which no response is required.

37. Paragraph 37 asserts legal conclusions to which no response is required.

38. Paragraph 38 is a statement of opinion and not an allegation of fact; it requires no response.

39. Paragraph 39 is a statement of opinion and not an allegation of fact; it requires no response.

40. Paragraph 40 is a statement of opinion and not an allegation of fact; it requires no response.

41. Paragraph 41 is a statement of opinion and not an allegation of fact; it requires no response.

42. Paragraph 42 is a statement of opinion and not an allegation of fact; it requires no response.

43. Paragraph 43 is a statement of opinion and not an allegation of fact; it requires no response.

44. Paragraph 44 is a statement of opinion and not an allegation of fact; it requires no response.

45. Paragraph 45 is a statement of opinion and not an allegation of fact; it requires no response.

46. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 46.

47. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 47.

48. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 48.

49. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 49.

50. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 50.

51. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 51.

52. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 52.

53. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 53.

54. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 54.

55. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 55.

56. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 56.

57. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 57.

58. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 58.

59. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 59.

60. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 60.

61. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 61.

62. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 62.

63. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 63.

64. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 64.

65. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 65.

66. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 66.

67. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 67.

68. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 68.

69. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 69.

70. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 70.

71. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 71.

72. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 72.

73. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 73.

74. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 74.

75. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 75.

76. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 76.

77. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 77.

78. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 78.

79. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 79.

80. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 80.

81. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 81.

82. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 82.

83. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 83.

84. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 84.

85. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 85.

86. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 86.

87. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 87.

88. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 88.

89. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 89.

90. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 90.

91. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 91.

92. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 92.

93. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 93.

94. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 94.

95. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 95.

96. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 96.

97. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 97.

98. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 98.

99. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 99.

100. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 100.

101. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 101.

102. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 102.

103. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 103.

104. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 104.

105. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 105.

106. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 106.

107. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 107.

108. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 108.

109. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 109.

110. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 110.

111. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 111.

112. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 112.

113. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 113.

114. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 114.

115. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 115.

116. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 116.

117. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 117.

118. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 118.

119. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 119.

120. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 120.

121. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 121.

122. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 122.

123. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 123.

124. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 124.

125. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 125.

126. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 126.

127. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 127.

128. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 128.

129. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 129.

130. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 130.

131. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 131.

132. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 132.

133. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 133.

134. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 134.

135. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 135.

136. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 136.

137. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 137.

138. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 138.

139. Defendants reallege and incorporate by reference the responses to the foregoing paragraphs.

140. Defendants admit that they earned income through their efforts in connection with ZeekRewards. Defendants deny that there were any "transfers" to them that are recoverable under the North Carolina Fraudulent Transfer Act.

141. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 141. Defendants further deny that there were any transfers to them that are recoverable under the North Carolina Fraudulent Transfer Act.

142. Paragraph 142 states a legal conclusion to which no response is required.

143. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 143.

144. Defendants deny that there were any transfers to them that are recoverable under the North Carolina Fraudulent Transfer Act.

145. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 145.

146. Paragraph 146 states legal conclusions to which no response is required, but Defendants deny that they did not give full value in exchange for compensation they earned in connection with ZeekRewards.

147. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 147.

148. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 148.

149. Paragraph 149 states a legal conclusion to which no response is required.

150. Paragraph 150 states a legal conclusion to which no response is required.

151. Defendants reallege and incorporate by reference the responses to the foregoing paragraphs.

152. Paragraph 152 states a legal conclusion to which no response is required.

153. Paragraph 153 states a legal conclusion to which no response is required.

154. Defendants deny that any transfers to them were fraudulent and deny that the Receiver is entitled to the imposition of a constructive trust on any assets or property.

155. Defendants deny that any transfers to them were fraudulent and deny that the Receiver is entitled to the imposition of a constructive trust on any assets or property.

AFFIRMATIVE DEFENSES

1. Defendants devoted significant time and money working on behalf of RVG/Zeek, which was performed pursuant to a contract between Defendants and

RVG/Zeek by which RVG/Zeek agreed to pay Defendants for the work that they performed. Defendants performed as agreed and was owed the compensation that RVG/Zeek promised to pay.

2. Defendants operated their businesses legitimately and all times acted in good faith. Defendants accepted compensation for reasonably equivalent value within the terms of the contract between Defendants and RVG/ZeekRewards.

3. Plaintiff's claims against Defendants are time-barred pursuant to the express terms of the agreement between RVG/Zeek and Defendants.

September 8, 2016

Respectfully,

/s/ J. Kevin Edmundson

J. Kevin Edmundson
EDMUNDSON PLLC
21209 Highway 71 West, Suite 3
Spicewood, Texas 78669
(512) 720-0782
kevin@edmundsonllc.com
Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send electronic copies to counsel of record registered to receive electronic service.

This 8th day of September, 2016.

/s/ J. Kevin Edmundson